

HURWIT DECL. EXHIBIT 1

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

ROY DEN HOLLANDER,

Plaintiff,

Civil Action

08

4045

v.

DEBORAH SWINDELLS DONOVAN,
PAUL W. STEINBERG, and
JANE DOE,

Defendants.

BROCK, J.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ OCT 03 2008 ★

BROOKLYN OFFICE

COMPLAINT FOR COPYRIGHT INFRINGEMENT

The plaintiff alleges as follows:

Parties, Jurisdiction and Venue

1. The plaintiff is a resident of New York County, citizen of the United States, and does business in all five counties of New York City as a business consultant and attorney.
2. The plaintiff created six essays ("the six essays") of wholly original material that are registered in accordance with the Copyright Act of 1976 either individually or as part of a larger work.
3. The plaintiff is the sole owner of all rights in the six essays.
4. Defendant Donovan is an attorney residing in Nassau County, New York and practices her profession in the Eastern District of New York and the Southern District.
5. Defendant Steinberg is an attorney residing in New York County and practices in New York City, which includes, on information and belief, the Eastern District of New York.
6. On information and belief, defendants Donovan and Steinberg copied the original six essays through unauthorized access of the plaintiff's personal computer, which is connected to the internet and used, in part, for interstate communication and business, or through unauthorized access of an internet computer engaged in interstate commerce and communication, or they obtained the unauthorized copies from some unknown third person: Jane Doe.
7. The Court has subject matter jurisdiction under 28 U.S.C. § 1338(a) because this action arises under the Copyright Act of 1976, 17 U.S.C. § 101 et seq.

8. The Court has personal jurisdiction because defendants Donovan and Steinberg reside in New York State and their acts of infringement took place in New York State, and, on information and belief, defendant Jane Doe also resides in New York State and her acts of infringement took place in the State.

9. The Court has venue under 28 U.S.C. § 1391(b)(1) because defendant Donovan resides in Nassau County, New York, and all the defendants reside in New York State.

Infringement Under 17 U.S.C. § 501

10. On October 24, 2007, Defendant Donovan filed a virtually identical copy of the original copyrighted essay Different Time on the Electronic Case Filing System ("ECF") of the U.S. District Court for the Southern District of New York as an exhibit in opposition to a recusal motion in a civil rights case, Docket No. 07 CV 05873, in which defendant Donovan represents a nightclub that allegedly discriminated against men. Exhibit A, p. 4, copy filed by Donovan.

11. Defendant Donovan also filed virtually identical copies of five other essays by the plaintiff, but at the time of her filing, those five essays had not yet been registered with the U.S. Copyright Office. Exhibit A, copies of all essays filed by Donovan.

12. In preparation for uploading and actually uploading the copyrighted Different Time essay into ECF, defendant Donovan, without authorization by the plaintiff, copied, distributed, published and displayed the essay created by the plaintiff.

13. Defendant Donovan knew or should have known that she was infringing or was acting with reckless disregard of the high probability that she was infringing because she stated, under penalty of perjury in her ECF court filing, that the Different Time essay, as well as the other five essays, were created by the plaintiff. Exhibit B, Excerpt from Donovan's Declaration to which the essays were attached as an exhibit.

14. By filing the unauthorized copy in ECF, defendant Donovan maliciously made the essay available to the general public through PACER (the Public Access to Court Electronic System) at a cost of \$.08 a page and through the U.S. Southern District Court's Records department at a cost of \$.35 a page.

15. Since the copying fees provide support to the federal courts in which defendant Donovan makes her living, the copying fees, which are essentially sales, will accrue, somewhat, to her benefit.

16. The unauthorized copy of the essay filed by Donovan has telltale markings of €, and ™ in a number of places. These marks and spacing are the only differences between Donovan's unauthorized copy and the original created by the plaintiff, which is attached as Exhibit C.

17. On information and belief, some time after the effective date of registration of the five other essays, defendant Donovan made tangible copies of those five essays and of the Different

Time essay and distributed those copies to defendant Steinberg. The five other essays are: Two Sides, An Invisible Weapon, Do Men Cause the Wars?, Some Differences, and Fear Corrupts. Exhibit D.

18. On December 18, 2007 in a nuisance action in the N.Y. State Supreme Court, 102057-2007 and again on December 19, 2007 in a defamation action in the N.Y.C. Civil Court, 021283 CV 06, defendant Steinberg filed virtually identical copies of the plaintiff's six copyrighted essays as exhibits in opposition papers. Exhibit E and Exhibit F.

19. In preparation to file and by actually filing the six copyrighted essays, defendant Steinberg, without authorization by the plaintiff, copied, distributed, published and displayed the six copyrighted essays created by the plaintiff.

20. Defendant Steinberg knew or should have known that he was infringing or was acting with reckless disregard of the high probability that he was infringing because defendant Steinberg affirmed under penalty of perjury in his court filings that all the essays were created by the plaintiff.

21. By filing the unauthorized copies with the N.Y.S. Supreme Court and the N.Y.C. Civil Court, defendant Steinberg maliciously made the copies available to the general public at a cost of \$.35 a page.

22. Since the copying fees provide support to the Supreme and Civil Courts in which defendant Steinberg makes part of his living, the copying fees, which are essentially sales, will accrue, somewhat, to his benefit.

23. The unauthorized copies filed by Steinberg are identical to those filed by defendant Donovan, right down to the telltale markings: Â, €, and ™, and the spacing. Exhibit A. Those marks and the spacing are the only differences between Stenberg's copies and the originals created by the plaintiff, Exhibits C & D.

24. On information and belief, defendant Jane Doe, without authorization by the plaintiff, copied and distributed the six essays created by the plaintiff when she knew or should have known that she was infringing or was acting with reckless disregard of the high probability that she was infringing.

25. On information and belief, defendant Jane Doe distributed unauthorized copies of the six essays to defendant Donovan for a price.

Relief Sought

WHEREFORE, the plaintiff requests:

26. Defendants Donovan, Steinberg, Jane Doe and all persons acting in concert with them be enjoined during the pendency of this action and permanently from infringing the copyright of the

plaintiff in any manner, and from copying, distributing, publishing or displaying any of the six essays.

27. The defendants be required to deliver up to be impounded during the pendency of this action all copies of the six essays in their possession or under their control.

28. Statutory damages under 17 U.S.C. § 504(a)(2) in the amount of \$10,000 per essay from defendant Donovan for her willful infringement of the plaintiff's copyrights.

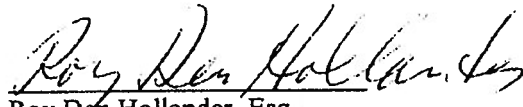
29. Statutory damages of \$10,000 per essay from defendant Steinberg for his willful infringement of the plaintiff's copyrights.

30. Statutory damages of \$10,000 per essay from Jane Doe for her willful infringement of the plaintiff's copyrights.

31. That under 17 U.S.C. § 505, the defendants pay the plaintiff's full costs for bring this action and reasonable attorney's fees.

32. And such other and further relief as is just.

Dated: October 1, 2008
New York, N.Y.


Roy Den Hollander, Esq.
Attorney and plaintiff
545 East 14 Street, 10D
New York, N.Y. 10009
(917) 687-0652

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EXHIBIT "A"

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Saturday, September 02, 2006 11:56 AM

Fear Corrupts

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The purpose of the Feminist Movement is not equality, justice or freedom, but power—power over men. Virtually every female lives with a never-ending fear that just about any man has the physical power to do with her as he wishes. He can beat her up, rape or kill her with his bare hands, providing no one else is present to prevent it. She does, however, have recourse to the courts, and if she is dead, the prosecutor will try to avenge her, but when a female faces a man in a situation of imminent physical violence, she's powerless.

This lack of power to protect their own beings has driven many females to an uncontrollable fury and madness that has spawned a slithering, insidious, malicious obsession to control men totally by gutting their freedom of thought and speech and relegating them to the non-human status of beasts.

Feminists, or more appropriately Feminazis, use well-proven totalitarian tricks to reach this end. They propagandize their goal as liberation of all females, but in reality they aim to warp society's institutions into a big sister that relentlessly attacks, humiliates and demoralizes men.

The Feminazis profess their aim is to raise the consciousness of men and females, but they are actually carrying out a campaign of indoctrination and social pressure by assuming the role of scolding mothers or shrews. Their true goal is to domesticate men into sheepish little boys who will blindly obey their self-righteous, hypocritical and bigoted whims.

Having tasted social power, the Feminazis will not stop until they reshape America and eventually the world into an intolerant hell complete with thought-control, inquisitions, intimidation, enslavement and, as one Feminazi priestess advocated, a reduction in the male population to 10%. Perhaps the reduced male population will be kept in protective hamlets surrounded by armed guards and barbed wire where females can safely pick out their pleasure for the night and where females' fears remain entombed.

posted by admin with 0 Comments

Saturday, August 12, 2006 12:43 PM

Two Sides

© Roy Den Hollander, 2006

When I worked for Metromedia TV News, now Fox News, there was only one way out of the newsroom and above that door was a sign: "Each story has two sides—make sure you get both." That maxim is no longer followed by the effete, eastern intellectual, white trash, elitist media.

Today, the fifth estate kowtows to the current, political-correctionalist propaganda of depicting females as victims and men as oppressors. The news media and Hollywood portray the role of wife as dreadful and that of the husband as enviable. As with other superficially, politically naive analyses, the Feminazi infested media often fails to look beyond its members own biased beliefs to the reality of being a husband in feminism America

Everyday the husband leaves the house and children to trade 8, 10 or 12 hours of his life for the means to provide for his wife and offspring. Beyond food and housing, he must satiate her voracious appetite for material goods in her Sisyphean effort to keep up with Mrs. Jones; assuage her relentless vanity with expensive jewelry, perfumes, clothes and cosmetics; appease with social status her vindictive, vitriolic ranting as age lines her face; satisfy junior's whining for a new toy, bicycle or car; and fulfill his daughter's limitless greed for MTV hyped products.

At work, the husband must win out over others or jeopardize the means of satisfying his insatiable dependents. Job stress is an ever-present companion that contributes to the seven years shorter life span men have as compared to dames. Many husbands, however, do not have to worry about stress, because

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their assigned role as serfs to princesses lands them in jobs that kill before stress has a chance to even raise their blood pressure. In the ten most hazardous jobs in America, over 90 percent of the workers are men. Every year industrial accidents kill twelve times more men than girls.

When an unfriendly nation decides to invade a husband's homeland, he, not his wife, will be drafted. The husband will go fight in order to protect his family and their way of life. In the twentieth century, 99 percent of the soldiers killed in wars were men. Perhaps death is the easy way for men to survive a war. Of the over two million young American men who served in Vietnam, approximately 800,000 suffer from post-traumatic stress syndrome. I wonder if any of these guys would have traded washing dishes for the hell they went through and are still suffering from.

In an emergency situation, females, including wives, and children are rescued first while men, including husbands, wait, hoping the grim reaper's scythe swings slowly enough for them to escape.

When the bottom of the economy falls out, the main provider of a family, usually the husband loses his job, which requires the family to seek government assistance. Some welfare programs require the husband to leave his home before the wife and children can receive support. As a result, the wife still has her children and a roof over her head while the husband walks the indifferent streets alone. Approximately 90 percent of America's three million homeless are men—not a few because of lost jobs stolen by broads.

At the other end of the economic scale where both husband and wife have well paying jobs, government and private support groups' discrimination against men has virtually no effect. But a form of male discrimination still exists. When the wife has a child, she often has the option to leave work to raise the child, to work part-time or return to work full-time. The husband also has three options: to continue working, to continue working and to continue working.

Finally, the burdens foisted on husbands and all men by this wo - man's nation cause men to commit suicide five times more often than females. For example, the Vietnam War killed around 58,000 young men; since that war's end, over 58,000 men who served in Vietnam have committed suicide.

When the Feminazis ask, "My God, who would want to be a wife?" Given the alternative—many.
 posted by [admin](#) with [1 Comments](#)
Saturday, August 12, 2006 12:25 PM
An Invisible Weapon
 © Roy Den Hollander, 2006

Physical violence mainly injures the body while emotional distress sears the mind. Contemporary feminazi groups and the political-correctionalist media and politicians incessantly depict husbands and boyfriends as brutal batterers of their innocent, defenseless wives and concubines. Trendy beliefs claim that a large percentage of America's 50% divorce rate results from the genetically programmed physical violence of men against females. The media, populace and politicians, however, ignore the incapacitating violence of emotional distress that wives and girls batter their beaux with day after day, year after year, which ends in a divorce, early grave for the husband or lawsuit against the man. Females intentionally or recklessly inflict emotional pain on a man with words, intonation of voice, facial demeanor and acts or patterns of behavior, often over a long period of time. For example, every time a guy leaves the refrigerator door open for more than some arbitrarily time limit set by his girl, the domineering paragon of everything correct barks "shut the door!" Over time, opening the refrigerator can become an unpleasant task—not unlike touching a live wire. Or the reckless, maybe intentional keeping of letters from the wife's lover in a place for the husband to find them in order to shatter the world of a faithful husband, especially if her sexual escapades occurred in the year prior to the birth of a child. As

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the genetically evil female well knows, a nauseating doubt will plague the husband until the day he dies that his child may not be his. What redress for the pain she caused would the husband have in feminism? None! In Russia, he could find some justice by slapping her around a bit, and if she called the cops, they'd help him out.

Girls have the advantage in America because physical violence is easy to prove: it leaves physical marks that a camera can record. Emotional violence, however, stalks the invisible world of the mind, which makes it a near perfect weapon. Husbands and boyfriends can't take pictures of the pain broads intentionally and recklessly cause them. Big Sister America is using that fact to tie men's hands, so they can no longer defend themselves against their girlfriends or wives twisting the blade of emotional pain through their hearts.

When will we see advertisements paid for by taxpayer dollars giving men a number to call to get some ragging, nagging, malicious broad to shut her yap? Not until science invents a technique for measuring emotional distress. Until then, a man has no choice but to follow Mother Nature, regardless of the cost, and slap the broad across the chops to stop the barrage of emotional bullets spewing from her tongue, which, of course, has always been a girl's gun.

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[Wednesday, July 05, 2006 4:43 PM](#)

A Different Time

A propeller driven plane drones somewhere overhead far out of sight. Its low monotone humming envelops a warm, spring Sunday afternoon somewhere in the 1950s. I sit on my 24 inch, black, single-gear Schwinn bicycle, keeping my balance by holding onto the door handle of an old, blue, four-door 1947 Dodge.

My consciousness pauses at the moment, feeling vaguely sad for no discernible reason. The week's events ended with this gift of nothing to do: no homework, no television shows, no new housing developments to explore or classmates able to come out and play.

The dead-end street needs a new asphalt topping. Where I am balance on the side, the asphalt has broken up into small gravel-like stones with an isolated weed sprouting up here and there. It is still early spring, the lawns are just beginning to turn green and the tulips and dogwood buds remain closed, waiting for a few consecutive days of warm weather. The air smells fresh, warmed slightly by a gentle breeze.

The droning airplane fills the vacuum of silence on this street with modest middle-class houses in this small suburban town, whose claim to fame will not come until the end of the next decade. Of all the towns in America, this town will have the second highest number of persons per capita to die in Vietnam—all of them men, of course, and all of them guys I knew.

posted by [admin](#) with 0 Comments

[Friday, May 12, 2006 3:21 PM](#)

Do Men Cause the Wars?

By Roy Den Hollander

During a trip to the evil empire—formerly the Soviet Union but still as evil as ever—a budding middle-aged Feminazi translator sternly ended her exposition about a battle depicted in a World War II museum outside Moscow with “Men cause the wars!” The American academicians and others along on the tour, including the males who were no longer men, nodded approvingly. Not me, my juvenile delinquent attitude, which I’ve never been able or wanted to outgrow, made me speak up—“Tell that to the guys pushing up daisies in the Falklands!” That shut the broad’s duplicitous mouth.

The Falklands, however, was just one war in which a female, Margaret Thatcher, helped kill 252 British and 655 Argentine soldiers, sailors, and airmen while doing in only three British females. What about all the other wars? Men certainly die in them in greater numbers than girls: the first Iraq war totaled about 22,000 men on both sides to 11 American female combat deaths and in Vietnam 58,185 American men to 8—that’s right—8 American females. But are guys the sole cause of that which destroys so many more men than broads? The National Organization of Witches (N.O.W.) and other

modern-day matriarchic tyrants would have us believe so because it infers that if men cause the wars, than they get what they deserve in war.

Let's look at the first Iraq war and April Glassby, the American ambassador to Iraq in 1990. She met Saddam Hussein just before he invaded Kuwait. At that time, there was rising tension between Iraq and Kuwait, Iraq was mobilizing and there were reports that Saddam might move across the border. So what did April tell Saddam at their meeting: the United States had no obligation to defend Kuwait. How dumb can you get! For dummies it has no limits, especially in situations suited for men. Maybe April didn't want to offend Saddam's sensitivities by popping his illusion as the modern day Saladin. Whatever the reason for her stupidity, after April tells Saddam "green light," he naturally invades "as would any guy when a girl gives him the go-ahead" even though April probably meant "red light." What was Saddam suppose to do "read the bimbo's mind"? So he invades, figuring the U.S. won't intervene because that's what its ambassador said, and if the U.S. won't than no one will.

As for Viet Nam, lots of contributing factors went into bringing us that war, including the 1.8 million more votes Lyndon Johnson received from females than men in 1964. Of course, those bimbos didn't swing the election and Barry Goldwater might have dragged us into the same quagmire, but just looking at history as it played-out shows that more girls than guys were responsible for re-electing LBJ who turned Viet Nam into a male meat grinder.

How about the big killer of men "World War II"? The war that prompted the bimbo Russian translator to blame only men. This requires a little history "something the Feminazis are excellent at ignoring or re-writing.

The treaty ending the First World War set up the League of Nations. In order for the League, like the United Nations today, to have any power required America as a member. The League ended up including most of Europe, including Germany, as well as Japan and China "but no U.S. Here's why: President Woodrow Wilson and the leader of the Senate, Henry Cabot Lodge, had some disagreements over the League. Since the Senate would have to approve the treaty that called for U.S. membership, a compromise was crucial and likely because both men were politicians. But when Wilson suffered a stroke, his wife, in effect, took over as President "that doomed any chance of an agreement. When was the last time you tried to reach a compromise with a female? It's not possible! To brood "compromise" means only one thing: Do it their way! Without the U.S., the League ultimately proved incapable of preventing aggression by the Axis Powers in the 1930s, which culminated in World War II.

Another Mistress of War includes Queen Victoria with her campaigns of imperialism in Africa: the Anglo-Zulu War and the two Boer Wars. The Queen used 250,000 troops to conduct a scorched earth policy against the Boers and throw Africans and Boers into concentration camps: 27,927 Boers (of whom 22,074 were children under 16) and about 20,000 Africans died of starvation, disease and exposure. In all, about 25% of the Boer inmates and 17% of the African ones died. Concentration camps weren't new in 1900, but under the British matriarch Victoria, they wreaked an unprecedented toll of human misery. The Second Boer War alone cost around 75,000 lives " 22,000 British soldiers, 6,000-7,000 Boer soldiers, 20,000-28,000 Boer civilians and perhaps 25,000 Africans. The population of the world back then was 26% of what it is now, so multiply these figures by four to understand the scope of feminine barbarity.

Then there's one of the all time Hoing champs: Catherine the Great of Russia. Ho Catherine started or instigated a number of wars in order to expand her domain to the South and East into the Ottoman Empire and bite off pieces of Poland in the West. Her eminence killed plenty men in order to add some 200,000 square miles to Russian territory, and when finished, she had bankrupted the country. The current German chancellor Angela Merkel has a picture of Catherine the Great in her office because, as Angela says, "Catherine was a strong woman," which in Feminaziese means an unabashed Ho and destroyer of men.

There are plenty of other female tyrants throughout history who have unleashed the irrational fury of their twisted emotions when slighted, given vent to their insatiable greed and blown mindlessly passed

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the chance of a compromise to kill plenty of men and others. The Feminazis conveniently ignored history hoping us guys will do the same and buy into their con of the empathetic female leader. Don't be fooled; broads are only empathetic so long as they're looking in the mirror. The fighting and dying in wars will always fall on the shoulders of men, so it seems wise that to avoid unnecessary wars, men should keep bimbos out of the political decision making process.

posted by [admin](#) with 2 Comments

Friday, March 24, 2006 11:54 PM

Some Differences: Men v. Girls

© Roy Den Hollander, 2006

Feminazi propaganda claims that except for a few mounds of flesh and "gender" organs, there's basically no difference between men and girls. They say broads can do virtually anything men can't perhaps, but can they do the tasks evolutionarily suited for men as well as men? Not in the real world they can't.

Would you waste time and money watching a bunch of broads trying to play basketball when you can catch a higher quality of ball played by men in college or the NBA? I don't think so. Of course, if the girls play in their tongs and halter tops, that's different. If you need someone to do your taxes, you'd be a fool to use a bimbo. Studies at Vanderbilt University show that thirteen times more boys than girls score above 700 on the math part of the SAT. Why risk going to jail because some feminazi ditz can't add? Or what about investing the money for which you had to put up with so much grief to earn in an economy where over 50% of the jobs are held by dames? Are you going to hand it over to some vain Feminazi such as the former CEO of Hewlett Packard who spent lots of company resources and time aggrandizing herself while the stock dropped 55%? On the other hand, when it comes to prostitution rings invest with the sluts. Los Angeles recently busted the largest call girl operation in its history that had raked in five to eight million in just 22 months. It was run by broads: a 42 year-old Russian whore and her 22 year-old harlot daughter who is still on the lam. Money for sex-any broads natural calling.

But when it comes to the work Mother Nature made men for, girls don't cut it. So the next time some Feminazi gives you that stern, serious look like the one your mother did when trying to tell you something that made no sense and says, "I'm a strong and independent woman," meaning she's as good and tough as a guy, ask her to step outside. "Excuse me!" She'll indignantly respond in a tone meant to intimidate. Reply with "I'm challenging you to a duel. Let's see how strong, independent and tough you really are. You can even choose the weapons, so long as they're not T and As or duplicity." That'll shut her yap.

Feminazi proselytizing even demands us to believe that girls are better suited for certain male activities- only the high paying and powerful ones of course- because broads are more compassionate and caring. Nobody wants a compassionate general, but let's see whether bimbos really are "compassionate." Take a husband and wife who both work. While driving, the wife slams into another car- not surprising since she's running her mouth on a cell phone and between breaths and gibberish, she's sucking down a coffee latte. She ends up in the hospital- good for weeks. The family income is cut, but the husband's main concern is that she's okay and gets well. He knows they'll make it through the financial crunch. Reverse the situation. The husband is broadsided by some bimbo yakking on her cell phone and sipping a coffee latte. The accident, more like recklessness, sends him to the hospital for weeks. The wife's only concern is the impact on her of the loss of income and sex. Sex, unless she's an adulteress, which most wives are until men no longer find them attractive. While this example shows females as being less compassionate than men, it does show them as equals in one sense: both are primarily concerned about the wife.

Although girls are not as competent as men at many tasks; they aren't powerless. Mother Nature gave them the ability to use sex, sexual favors and sympathy to win what they want. But feminarchy America now allows them to habitually get away with conduct they never could have before. Feminazis believe the universe exempted them from civilized conduct by making them female even though that was just an accident.

Some examples: Has a girl ever summarily pushed you out of the way in a crowded night club or in a stampede to squeeze her fat ass into a bus or subway spot that could fit only one of her cheeks? What

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B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Roy Den Hollander,

Plaintiff on behalf of himself
and all others similarly situated,

Civil Action No. 07 CV 5873 (MGC)

-against-

See TP 11

Copacabana Nightclub,
China Club,
Guest House,
A.E.R. Nightclub,
Lotus,
Sol, and
Jane Doe Promoters,

Defendants .
_____x

**DECLARATION OF DEBORAH SWINDELLS DONOVAN
IN OPPOSITION TO PLAINTIFFS MOTION TO
DISQUALIFY JUDGE CEDARBAUM**

Deborah Swindells Donovan, an attorney duly admitted to practice in the State of New York, hereby affirms the following under the penalty of perjury:

✓ 1. I am a partner with the law firm of Gordon & Rees, L.L.P., counsel for Defendant Lotus, one of the nightclubs named in the within action. As counsel for Lotus, I am fully familiar with the facts set forth herein. This Declaration is submitted in opposition to the frivolous Motion To Disqualify Judge Cedarbaum, filed by Plaintiff Roy Den Hollander on or about October 7, 2007. I attended the October 3, 2007 Initial Pretrial Conference (the "Conference") that Plaintiff unsuccessfully submits provides a basis for his motion to disqualify Judge Cedarbaum.

✓ 2. In my twenty-four years as a practicing attorney, who appears primarily in federal court, Plaintiff's contention that he "had no notice that the subject matter of the [Conference] was

antagonism or disdain on the Judge's part toward men. Plaintiff ¶¶ 5, 13, 14. Rather, the exchange reflected the Court's concern that it might lack jurisdiction, and she questioned Plaintiff extensively concerning this potential issue. When Plaintiff identified two lower court decisions in support of his position, Judge Cedarbaum invited him to send her those cases, thereby demonstrating her receptiveness to legal authority that supported Plaintiff's premise that the extensive regulation by the State is sufficient to constitute the necessary state action to confer Section 1983 jurisdiction.

✓ 9. Plaintiff's characterization of the Judge as "repeatedly interrupt[ing] him and cut[ting him] off" is inaccurate. Plaintiff ¶ 12. Rather, it was my observation that Plaintiff repeatedly interrupted Judge Cedarbaum, raising his voice in an effort to keep the Judge from finishing her remarks.

✓ 10. Plaintiff's accusation that Judge Cedarbaum "was motivated by sexual bias, sexual prejudice, and partiality toward the class of men on whose behalf the male named plaintiff brought this suit" is fantasy. Nothing was said by the Court that possibly could be construed as reflecting discriminatory animus against men. The conference focused solely on the jurisdictional question, not the substance of whether "Ladies Nights" discriminate against men. The accusation that the Judge is sexually biased or prejudiced against men is merely self-serving speculation.

11. This speculation stands in stark contrast to Plaintiff's unrelenting bias against females. Perhaps Plaintiff would prefer a male judge, given his negative stereotypes of women on the Internet, frequently referring to them as "feminazi." The attached Exhibit A includes examples of Plaintiff's invective against women. It is my understanding these "articles" appeared on the Internet. I personally have read diatribes by Plaintiff on the Internet which are entirely consistent with many of the views expressed in this exhibit. Unfortunately, I did not save them because Plaintiff's opinion of women is not at issue in the lawsuit he has brought. Had I

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known he would level a baseless charge of gender discrimination against Judge Cedarbaum personally, I certainly would have retained them as they unequivocally reflect his misogyny. The articles suggest Plaintiff is challenging Judge Cedarbaum's impartiality simply because she is female, not biased. Plaintiff is the one who is sexually biased, not Judge Cedarbaum.

Dated: New York, New York
October 23, 2007


Deborah Swindells Donovan (DD 3421)



A Different Time

A propeller driven plane drones somewhere overhead far out of sight. Its low monotone humming envelops a warm, spring Sunday afternoon somewhere in the 1950s. I sit on my 24 inch, black, single-gear Schwinn bicycle, keeping my balance by holding onto the door handle of an old, blue, four-door 1947 Dodge.

My consciousness pauses at the moment, feeling vaguely sad for no discernible reason. The week's events ended with this gift of nothing to do: no homework, no television shows, no new housing developments to explore or classmates able to come out and play.

The dead-end street needs a new asphalt topping. Where I am balance on the side, the asphalt has broken up into small gravel-like stones with an isolated weed sprouting up here and there. It is still early spring, the lawns are just beginning to turn green and the tulips and dogwood buds remain closed, waiting for a few consecutive days of warm weather. The air smells fresh, warmed slightly by a gentle breeze.

The droning airplane fills the vacuum of silence on this street with modest middle-class houses in this small suburban town, whose claim to fame will not come until the end of the next decade. Of all the towns in America, this town will have the second highest number of persons per capita to die in Vietnam—all of them men, of course, and all of them guys I knew.

Two Sides
By Roy Den Hollander

When I worked for Metromedia TV News, now Fox News, there was only one way out of the newsroom and above that door was a sign: "Each story has two sides—make sure you get both." That maxim is no longer followed by the effete, eastern intellectual, white trash, elitist media.

Today, the fifth estate kowtows to the current, political-correctionalist propaganda of depicting females as victims and men as oppressors. The news media and Hollywood portray the role of wife as dreadful and that of the husband as enviable. As with other superficially, politically naive analyses, the Feminazi infested media often fails to look beyond its members own biased beliefs to the reality of being a husband in feminism America

Everyday the husband leaves the house and children to trade 8, 10 or 12 hours of his life for the means to provide for his wife and offspring. Beyond food and housing, he must satiate her voracious appetite for material goods in her Sisyphean effort to keep up with Mrs. Jones; assuage her relentless vanity with expensive jewelry, perfumes, clothes and cosmetics; appease with social status her vindictive, vitriolic ranting as age lines her face; satisfy junior's whining for a new toy, bicycle or car; and fulfill his daughter's limitless greed for MTV hyped products.

At work, the husband must win out over others or jeopardize the means of satisfying his insatiable dependents. Job stress is an ever-present companion that contributes to the seven years shorter life span men have as compared to dames. Many husbands, however, do not have to worry about stress, because their assigned role as serfs to princesses lands them in jobs that kill before stress has a chance to even raise their blood pressure. In the ten most hazardous jobs in America, over 90 percent of the workers are men. Every year industrial accidents kill twelve times more men than girls.

If an unfriendly nation decides to invade a husband's homeland, he, not his wife, will be drafted. The husband will go fight in order to protect his family and their way of life. In the twentieth century, 99 percent of the soldiers killed in wars were men. Perhaps death is the easy way for men to survive a war. Of the over two million young American men who served in Vietnam, approximately 800,000 suffer from post-traumatic stress syndrome. I wonder if any of these guys would have traded washing dishes for the hell they went through and are still suffering from.

In an emergency situation, females, including wives, and children are rescued first while men, including husbands, wait, hoping the grim reaper's scythe swings slowly enough for them to escape.

When the bottom of the economy falls out, the main provider of a family, usually the husband loses his job, which requires the family to seek government assistance. Some welfare programs require the husband to leave his home before the wife and children can receive support. As a result, the wife still has her children and a roof over her head while the husband walks the

indifferent streets alone. Approximately 90 percent of America's three million homeless are men—not a few because of lost jobs.

At the other end of the economic scale where both husband and wife have well paying jobs, government and private support groups' discrimination against men has virtually no effect. But a form of male discrimination still exists. When the wife has a child, she often has the option to leave work to raise the child, to work part-time or return to work full-time. The husband also has three options: to continue working, to continue working and to continue working.

Finally, the burdens foisted on husbands and all men by this wo - man's nation cause men to commit suicide five times more often than females. For example, the Vietnam War killed around 58,000 young men; since that war's end, over 58,000 men who served in Vietnam have committed suicide.

When the Feminazis exclaim, "My God, who would not want to be a wife!" Given the alternative—many.

An Invisible Weapon
By Roy Den Hollander

Physical violence mainly injures the body while emotional distress sears the mind. Contemporary feminazi groups and the political-correctionalist media and politicians incessantly depict husbands and boyfriends as brutal batterers of their innocent, defenseless wives and concubines. Trendy beliefs claim that a large percentage of America's 50% divorce rate results from the genetically programmed physical violence of men against females. The media, populace and politicians, however, ignore the incapacitating genetically programmed violence of emotional distress that wives and girls batter their beaus with day after day, year after year, which ends in a divorce, early grave for the husband or lawsuit against the man.

Females intentionally or recklessly inflict emotional pain on a man with words, intonation of voice, facial demeanor and acts or patterns of behavior, often over a long period of time. For example, every time a guy leaves the refrigerator door open for more than some arbitrarily time limit set by his girl, the domineering paragon of everything correct barks, "shut the door!" Over time, opening the refrigerator can become an unpleasant task—not unlike touching a live wire. Or the reckless, maybe intentional keeping of letters from the wife's lover in a place for the husband to find them in order to shatter the world of a faithful husband, especially if her sexual escapades occurred in the year prior to the birth of a child. As the genetically evil female well knows, a nauseating doubt will plague the husband until the day he dies that his child may not be his. What redress for the pain she caused would the husband have in feminism America—none! In Russia, he could find some justice by slapping her around a bit, and if she called the cops, they'd help him out.

Girls have the advantage in America because physical violence is easy to prove: it leaves physical marks that a camera can record. Emotional violence, however, stalks the invisible

world of the mind, which makes it a near perfect weapon. Husbands and boyfriends can't take pictures of the pain broads intentionally and recklessly cause them. Big Sister America is using that fact to tie men's hands, so they can no longer defend themselves against their girlfriends or wives twisting the blade of emotional pain through their hearts.

When will we see advertisements paid for by taxpayer dollars giving men a number to call to get some ragging, nagging, malicious slut to shut her yap? Not until science invents a technique for measuring emotional distress. Until then, a man has no choice but to follow Mother Nature, regardless of the cost, and slap the slut across the chops to stop the barrage of emotional bullets spewing from her tongue, which, of course, has always been a girl's gun.

Do Men Cause the Wars?
By Roy Den Hollander

During a trip to the evil empire—formerly the Soviet Union but still as evil as ever—a budding middle-aged Feminazi translator sternly ended her exposition about a battle depicted in a World War II museum outside Moscow with “Men cause the wars!” The American academicians and others along on the tour, including the males who were no longer men, nodded approvingly. Not me, my juvenile delinquent attitude, which I’ve never been able or wanted to outgrow, made me speak up—“Tell that to the guys pushing up daises in the Falklands!” That shut the broad’s duplicitous mouth.

The Falklands, however, was just one war in which a female, Margaret Thatcher, helped kill 252 British and 655 Argentine soldiers, sailors, and airmen while doing in only three British females. What about all the other wars? Men certainly die in them in greater numbers than girls: the first Iraq war totaled about 22,000 men on both sides to 11 American female combat deaths and in Vietnam 58,185 American men to 8—that’s right—8 American females. But are guys the sole cause of that which destroys so many more men than broads? The National Organization of Witches (N.O.W.) and other modern-day matriarchic tyrants would have us believe so because it infers that if men cause the wars, than they get what they deserve in war.

Let’s look at the first Iraq war and April Glassby, the American ambassador to Iraq in 1990. She met Saddam Hussein just before he invaded Kuwait. At that time, there was rising tension between Iraq and Kuwait, Iraq was mobilizing and there were reports that Saddam might move across the border. So what did April tell Saddam at their meeting: the United States had no obligation to defend Kuwait. How dumb can you get! For dames it has no limits, especially in situations suited for men. Maybe April didn’t want to offend Saddam’s sensitivities by popping his illusion as the modern day Saladin. Whatever the reason for her stupidity, after

April tells Saddam “green light,” he naturally invades—as would any guy when a girl gives him the go-ahead—even though April probably meant “red light.” What was Saddam suppose to do—read the bimbo’s mind? So he invades, figuring the U.S. won’t intervene because that’s what its ambassador said, and if the U.S. won’t than no one will.

As for Viet Nam, lots of contributing factors went into bringing us that war, including the 1.8 million more votes Lyndon Johnson received from females than men in 1964. Of course, those bimbos didn’t swing the election and Barry Goldwater might have dragged us into the same quagmire, but just looking at history as it played-out shows that more girls than guys were responsible for re-electing LBJ who turned Viet Nam into a male meat grinder.

How about the big killer of men—World War II? The war that prompted the bimbat Russian translator to blame only men. This requires a little history—something the Feminazis are excellent at ignoring or re-writing.

The treaty ending the First World War set up the League of Nations. In order for the League, like the United Nations today, to have any power required America as a member. The League ended up including most of Europe, including Germany, as well as Japan and China—but no U.S. Here’s why: President Woodrow Wilson and the leader of the Senate, Henry Cabot Lodge, had some disagreements over the League. Since the Senate would have to approve the treaty that called for U.S. membership, a compromise was crucial and likely because both men were politicians. But when Wilson suffered a stroke, his wife, in effect, took over as President—that doomed any chance of an agreement. When was the last time you tried to reach a compromise with a female? It’s not possible! To broads “compromise” means only one thing: Do it their way! Without the U.S., the League ultimately proved incapable of preventing aggression by the Axis Powers in the 1930s, which culminated in World War II.

Another Mistress of War includes Queen Victoria with her campaigns of imperialism in Africa: the Anglo-Zulu War and the two Boer Wars. The Queen used 250,000 troops to conduct a scorched earth policy against the Boers and throw Africans and Boers into concentration camps: 27,927 Boers (of whom 22,074 were children under 16) and about 20,000 Africans died of starvation, disease and exposure. In all, about 25% of the Boer inmates and 17% of the African ones died. Concentration camps weren't new in 1900, but under the British matriarch Victoria, they wreaked an unprecedented toll of human misery. The Second Boer War alone cost around 75,000 lives — 22,000 British soldiers, 6,000-7,000 Boer soldiers, 20,000-28,000 Boer civilians and perhaps 25,000 Africans. The population of the world back then was 26% of what it is now, so multiply these figures by four to understand the scope of feminine barbarity.

Then there's one of the all time Hoing champs: Catherine the Great of Russia. Ho Catherine started or instigated a number of wars in order to expand her domain to the South and East into the Ottoman Empire and bite off pieces of Poland in the West. Her eminence killed plenty men in order to add some 200,000 square miles to Russian territory, and when finished, she had bankrupted the county. The current German chancellor Angela Merkel has a picture of Catherine the Great in her office because, as Angela says, "Catherine was a strong woman," which in Feminaziese means an unabashed Ho and destroyer of men.

There are plenty of other female tyrants throughout history who have unleashed the irrational fury of their twisted emotions when slighted, given vent to their insatiable greed and blown mindlessly passed the chance of a compromise to kill plenty of men and others. The Feminazis conveniently ignored history hoping us guys will do the same and buy into their con of the empathetic female leader. Don't be fooled; broads are only empathetic so long as they're looking in the mirror. The fighting and dying in wars will always fall on the shoulders of men,

so it seems wise that to avoid unnecessary wars, men should keep bimbos out of the political decision making process.

Some Differences: Men v. Girls
By Roy Den Hollander

Feminazi propaganda claims that except for a few mounds of flesh and “gender” organs, there’s basically no difference between men and girls. They say broads can do virtually anything men can—perhaps, but can they do the tasks evolutionarily suited for men as well as men? Not in the real world they can’t!

Would you waste time and money watching a bunch of broads trying to play basketball when you can catch a higher quality of ball played by men in college or the NBA? I don’t think so. Of course, if the girls play in their tongs and halter tops, that’s different. If you need someone to do your taxes, you’d be a fool to use a bimbo. Studies at Vanderbilt University show that thirteen times more boys than girls score above 700 on the math part of the SAT. Why risk going to jail because some feminazi ditz can’t add? Or what about investing the money for which you had to put up with so much grief to earn in an economy where over 50% of the jobs are held by dames? Are you going to hand it over to some vain Feminazi such as the former CEO of Hewlett Packard who spent lots of company resources and time aggrandizing herself while the stock dropped 55%? On the other hand, when it comes to prostitution rings—invest with the sluts. Los Angeles recently busted the largest call girl operation in its history that had raked in five to eight million in just 22 months. It was run by broads: a 42 year-old Russian whore and her 22 year-old harlot daughter who is still on the lam. Money for sex—any broads natural calling.

But when it comes to the work Mother Nature made men for, girls don’t cut it. So the next time some Feminazi gives you that stern, serious look—like the one your mother did when trying to tell you something that made no sense—and says, “I’m a strong and independent woman,” meaning she’s as good and tough as a guy, ask her to step outside.

“Excuse me!” She’ll indignantly respond in a tone meant to intimidate.

Reply with “I’m challenging you to a duel. Let’s see how strong, independent and tough you really are. You can even choose the weapons, so long as they’re not T and As or duplicity.” That’ll shut her yap.

Feminazi proselytizing even demands us to believe that girls are better suited for certain male activities—only the high paying and powerful ones of course—because broads are more compassionate and caring. Nobody wants a compassionate general, but let’s see whether bimbos really are “compassionate.” Take a husband and wife who both work. While driving, the wife slams into another car—not surprising since she’s running her mouth on a cell phone and between breaths and gibberish, she’s sucking down a coffee latte. She ends up in the hospital—good—for weeks. The family income is cut, but the husband’s main concern is that she’s okay and gets well. He knows they’ll make it through the financial crunch. Reverse the situation. The husband is broadsided by some bimbo yakking on her cell phone and sipping a coffee latte. The accident, more like recklessness, sends him to the hospital for weeks. The wife’s only concern is the impact on her of the loss of income and sex. Sex, unless she’s an adulteress, which most wives are until men no longer find them attractive. While this example shows females as being less compassionate than men, it does show them as equals in one sense: both are primarily concerned about the wife.

Although girls are not as competent as men at many tasks; they aren’t powerless. Mother Nature gave them the ability to use sex, sexual favors and sympathy to win what they want. But feminarchy America now allows them to habitually get away with conduct they never could have before. Feminazis believe the universe exempted them from civilized conduct by making them female even though that was just an accident.

Some examples: Has a girl ever summarily pushed you out of the way in a crowded night club or in a stampede to squeeze her fat ass into a bus or subway spot that could fit only one of her cheeks? What about cutting in line or mouthing off in such a vitriolic manner that if it came from a man he'd end up with a knuckle sandwich? Or take these female teachers caught having sex with their underage students. They receive no prison time or one to three years while male teachers get 15 to 20. Then there's females murdering their children without getting fried, killing their husbands and not even going to jail or butchering incipient human beings on demand because they want the choice to act irresponsibly in satisfying her sexual whim of the moment.

Feminarchy America allows broads to get away with more than Mother Nature intended, not because girls are superior but because females are now making the rules. We have forgotten six million years of hominid evolution: dames aren't here to soothe the "savage beast"; the "savage beast" is here to limit broads' infinite capacity for evil. And the most virulent feminine evil is the Feminazis.

So what's to be done with a Feminazi? Strap her to a missile and drop her it on the Middle East. They'll know how to deal with her.

Fear Corrupts
By Roy Den Hollander

The purpose of the Feminist Movement is not equality, justice or freedom, but power—power over men.

Virtually every female lives with a never-ending fear that just about any man has the physical power to do with her as he wishes. He can beat her up, rape or kill her with his bare hands, providing no one else is present to prevent it. She does, however, have recourse to the courts, and if she is dead, the prosecutor will try to avenge her, but when a female faces a man in a situation of imminent physical violence, she's powerless.

This lack of power to protect their own beings has driven many females to an uncontrollable fury and madness that has spawned a slithering, insidious, malicious obsession to control men totally by gutting their freedom of thought and speech and relegating them to the non-human status of beasts.

Feminists, or more appropriately Feminazis, use well-proven totalitarian tricks to reach this end. They propagandize their goal as liberation of all females, but in reality they aim to warp society's institutions into a big sister that relentlessly attacks, humiliates and demoralizes men.

The Feminazis profess their aim is to raise the consciousness of men and females, but they are actually carrying out a campaign of indoctrination and social pressure by assuming the role of scolding mothers or shrews. Their true goal is to domesticate men into sheepish little boys who will blindly obey their self-righteous, hypocritical and bigoted whims.

Having tasted social power, the Feminazis will not stop until they reshape America and eventually the world into an intolerant hell complete with thought-control, inquisitions, intimidation, enslavement and, as one Feminazi priestess advocated, a reduction in the male population to 10%. Perhaps the reduced male population will be kept in protective hamlets surrounded by armed guards and barbed wire where females can safely pick out their pleasure for the night and where females' fears remain entombed.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Roy Ben HOLLANDER

Plaintiff

102057/2007

William R. FASANO

Defendant

Affirmation in Opposition

Attorney(s) for

Paul Steinberg

Defendant William Fasano

The Safe Building Suite 408
14 East Fourth Street, NY, NY 10012-1141
(212) 529-5400

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, after information and belief and reasonable inquiry, the contentions contained in the foregoing document are not frivolous.

Dated:

Signature

Print Name

Service of a copy of the within

is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE

☐ NOTICE OF ENTRY

That the within is a (certified) true copy of a
entered in the office of the clerk of the within named Court on

20

☐ NOTICE OF SETTLEMENT

That the Order of which the within is a true copy will be presented for settlement to the
one of the judges of the within named Court,
on 20 at M.

Dated:

Paul W. Steinberg
Attorney for Defendant

Attorney(s) for

To:

Office Address & Tel. No.:

Attorney(s) for

Saturday, September 02, 2006 11:56 AM

Fear Corrupts

© Roy Den Hollander 2006

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posted by admin with 0 Comments

Saturday, August 12, 2006 12:43 PM

Two Sides

© Roy Den Hollander, 2006

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 posted by [admin](#) with [1 Comments](#)
Saturday, August 12, 2006 12:25 PM
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Wednesday, July 05, 2006 4:43 PM

A Different Time

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posted by [admin](#) with [0 Comments](#)

Friday, May 12, 2006 3:21 PM

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By Roy Den Hollander

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Let's look at the first Iraq war and April Glassby, the American ambassador to Iraq in 1990. She met Saddam Hussein just before he invaded Kuwait. At that time, there was rising tension between Iraq and Kuwait, Iraq was mobilizing and there were reports that Saddam might move across the border. So what did April tell Saddam at their meeting: the United States had no obligation to defend Kuwait. How dumb can you get! For dames it has no limits, especially in situations suited for men. Maybe April didn't want to offend Saddam's sensitivities by popping his illusion as the modern day Saladin. Whatever the reason for her stupidity, after April tells Saddam "green light," he naturally invades "as would any guy when a girl gives him the go-ahead" even though April probably meant "red light." What was Saddam suppose to do "read the bimbo's mind"? So he invades, figuring the U.S. won't intervene because that's what its ambassador said, and if the U.S. won't than no one will.

As for Viet Nam, lots of contributing factors went into bringing us that war, including the 1.8 million more votes Lyndon Johnson received from females than men in 1964. Of course, those bimbos didn't swing the election and Barry Goldwater might have dragged us into the same quagmire, but just looking at history as it played-out shows that more girls than guys were responsible for re-electing LBJ who turned Viet Nam into a male meat grinder.

How about the big killer of men "World War II"? The war that prompted the bimbo Russian translator to blame only men. This requires a little history "something the Feminazis are excellent at ignoring or re-writing.

The treaty ending the First World War set up the League of Nations. In order for the League, like the United Nations today, to have any power required America as a member. The League ended up including most of Europe, including Germany, as well as Japan and China "but no U.S. Here's why: President Woodrow Wilson and the leader of the Senate, Henry Cabot Lodge, had some disagreements over the League. Since the Senate would have to approve the treaty that called for U.S. membership, a compromise was crucial and likely because both men were politicians. But when Wilson suffered a stroke, his wife, in effect, took over as President "that doomed any chance of an agreement. When was the last time you tried to reach a compromise with a female? It's not possible! To broads "compromise" means only one thing: Do it their way! Without the U.S., the League ultimately proved incapable of preventing aggression by the Axis Powers in the 1930s, which culminated in World War II.

Another Mistress of War includes Queen Victoria with her campaigns of imperialism in Africa: the Anglo-Zulu War and the two Boer Wars. The Queen used 250,000 troops to conduct a scorched earth policy against the Boers and throw Africans and Boers into concentration camps: 27,927 Boers (of whom 22,074 were children under 16) and about 20,000 Africans died of starvation, disease and exposure. In all, about 25% of the Boer inmates and 17% of the African ones died. Concentration camps weren't new in 1900, but under the British matriarch Victoria, they wreaked an unprecedented toll of human misery. The Second Boer War alone cost around 75,000 lives " 22,000 British soldiers, 6,000-7,000 Boer soldiers, 20,000-28,000 Boer civilians and perhaps 25,000 Africans. The population of the world back then was 26% of what it is now, so multiply these figures by four to understand the scope of feminine barbarity.

Then there's one of the all time Hoing champs: Catherine the Great of Russia. Ho Catherine started or instigated a number of wars in order to expand her domain to the South and East into the Ottoman Empire and bite off pieces of Poland in the West. Her eminence killed plenty men in order to add some 200,000 square miles to Russian territory, and when finished, she had bankrupted the county. The current German chancellor Angela Merkel has a picture of Catherine the Great in her office because, as Angela says, "Catherine was a strong woman," which in Feminaziese means an unabashed Ho and destroyer of men.

There are plenty of other female tyrants throughout history who have unleashed the irrational fury of their twisted emotions when slighted, given vent to their insatiable greed and blown mindlessly passed

the chance of a compromise to kill plenty of men and others. The Feminazis conveniently ignored history hoping us guys will do the same and buy into their con of the empathetic female leader. Donâ€™t be fooled; broads are only empathetic so long as theyâ€™re looking in the mirror. The fighting and dying in wars will always fall on the shoulders of men, so it seems wise that to avoid unnecessary wars, men should keep bimbos out of the political decision making process.

posted by [admin](#) with [2 Comments](#)

[Friday, March 24, 2006 11:54 PM](#)

[Some Differences: Men v. Girls](#)

Â© Roy Den Hollander, 2006

Feminazi propaganda claims that except for a few mounds of flesh and "gender" organs, there's basically no difference between men and girls. They say broads can do virtually anything men canâ€™ perhaps, but can they do the tasks evolutionarily suited for men as well as men? Not in the real world they can't.

Would you waste time and money watching a bunch of broads trying to play basketball when you can catch a higher quality of ball played by men in college or the NBA? I don't think so. Of course, if the girls play in their tongs and halter tops, that's different. If you need someone to do your taxes, you'd be a fool to use a bimbo. Studies at Vanderbilt University show that thirteen times more boys than girls score above 700 on the math part of the SAT. Why risk going to jail because some feminazi ditz can't add? Or what about investing the money for which you had to put up with so much grief to earn in an economy where over 50% of the jobs are held by dames? Are you going to hand it over to some vain Feminazi such as the former CEO of Hewlett Packard who spent lots of company resources and time aggrandizing herself while the stock dropped 55%? On the other hand, when it comes to prostitution ringsâ€™ invest with the sluts. Los Angeles recently busted the largest call girl operation in its history that had raked in five to eight million in just 22 months. It was run by broads: a 42 year-old Russian whore and her 22 year-old harlot daughter who is still on the lam. Money for sex-any broads natural calling.

But when it comes to the work Mother Nature made men for, girls don't cut it. So the next time some Feminazi gives you that stern, serious lookâ€™ like the one your mother did when trying to tell you something that made no senseâ€™ and says, "I'm a strong and independent woman," meaning she's as good and tough as a guy, ask her to step outside. "Excuse me!" She'll indignantly respond in a tone meant to intimidate. Reply with "I'm challenging you to a duel. Let's see how strong, independent and tough you really are. You can even choose the weapons, so long as they're not T and As or duplicity." That'll shut her yap.

Feminazi proselytizing even demands us to believe that girls are better suited for certain male activities-only the high paying and powerful ones of course-because broads are more compassionate and caring. Nobody wants a compassionate general, but let's see whether bimbos really are "compassionate." Take a husband and wife who both work. While driving, the wife slams into another car-not surprising since she's running her mouth on a cell phone and between breaths and gibberish, she's sucking down a coffee latte. She ends up in the hospital-good-for weeks. The family income is cut, but the husband's main concern is that she's okay and gets well. He knows they'll make it through the financial crunch. Reverse the situation. The husband is broadsided by some bimbo yakking on her cell phone and sipping a coffee latte. The accident, more like recklessness, sends him to the hospital for weeks. The wife's only concern is the impact on her of the loss of income and sex. Sex, unless she's an adulteress, which most wives are until men no longer find them attractive. While this example shows females as being less compassionate than men, it does show them as equals in one sense: both are primarily concerned about the wife.

Although girls are not as competent as men at many tasks; they aren't powerless. Mother Nature gave them the ability to use sex, sexual favors and sympathy to win what they want. But feminarchy America now allows them to habitually get away with conduct they never could have before. Feminazis believe the universe exempted them from civilized conduct by making them female even though that was just an accident.

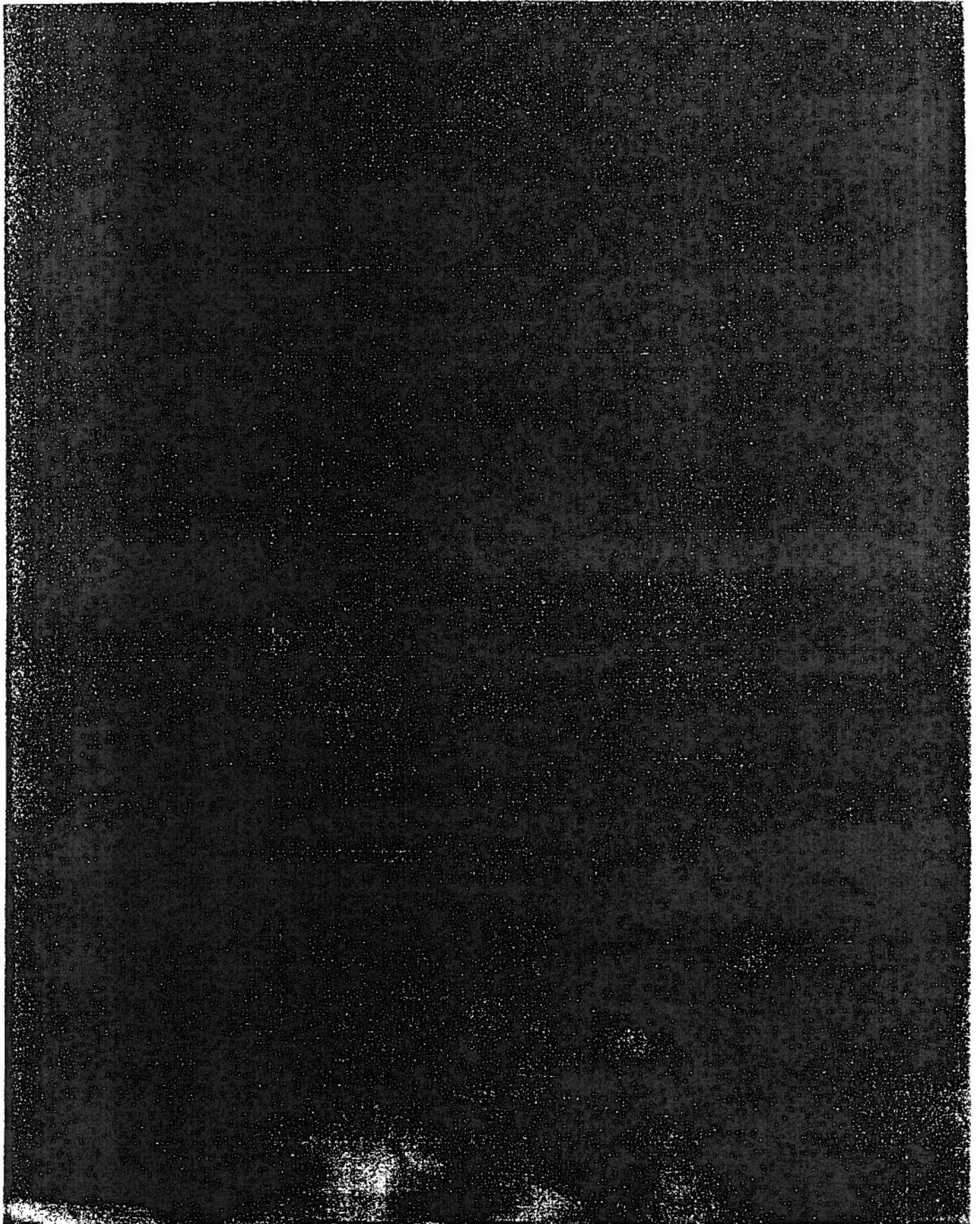
Some examples: Has a girl ever summarily pushed you out of the way in a crowded night club or in a stampede to squeeze her fat ass into a bus or subway spot that could fit only one of her cheeks? What

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Feminarchy America allows broads to get away with more than Mother Nature intended, not because girls are superior but because females are now making the rules. We have forgotten six million years of hominid evolution: dames aren't here to soothe the "savage beast"; the "savage beast" is here to limit broads' infinite capacity for evil. And the most virulent feminine evil is the Feminazis.

So what's to be done with a Feminazi? Strap her to a missile and drop her it on the Middle East . They'll know how to deal with her.

posted by [admin](#) with [0 Comments](#)



Saturday, September 02, 2006 11:56 AM

Fear Corrupts

© Roy Den Hollander 2006

The purpose of the Feminist Movement is not equality, justice or freedom, but power—power over men. Virtually every female lives with a never-ending fear that just about any man has the physical power to do with her as he wishes. He can beat her up, rape or kill her with his bare hands, providing no one else is present to prevent it. She does, however, have recourse to the courts, and if she is dead, the prosecutor will try to avenge her, but when a female faces a man in a situation of imminent physical violence, she's powerless.

This lack of power to protect their own beings has driven many females to an uncontrollable fury and madness that has spawned a slithering, insidious, malicious obsession to control men totally by gutting their freedom of thought and speech and relegating them to the non-human status of beasts.

Feminists, or more appropriately Feminazis, use well-proven totalitarian tricks to reach this end. They propagandize their goal as liberation of all females, but in reality they aim to warp society's institutions into a big sister that relentlessly attacks, humiliates and demoralizes men.

The Feminazis profess their aim is to raise the consciousness of men and females, but they are actually carrying out a campaign of indoctrination and social pressure by assuming the role of scolding mothers or shrews. Their true goal is to domesticate men into sheepish little boys who will blindly obey their self-righteous, hypocritical and bigoted whims.

Having tasted social power, the Feminazis will not stop until they reshape America and eventually the world into an intolerant hell complete with thought-control, inquisitions, intimidation, enslavement and, as one Feminazi priestess advocated, a reduction in the male population to 10%. Perhaps the reduced male population will be kept in protective hamlets surrounded by armed guards and barbed wire where females can safely pick out their pleasure for the night and where females' fears remain entombed.

posted by admin with 0 Comments

Saturday, August 12, 2006 12:43 PM

Two Sides

© Roy Den Hollander, 2006

When I worked for Metromedia TV News, now Fox News, there was only one way out of the newsroom and above that door was a sign: "Each story has two sides—make sure you get both." That maxim is no longer followed by the effete, eastern intellectual, white trash, elitist media.

Today, the fifth estate kowtows to the current, political-correctionalist propaganda of depicting females as victims and men as oppressors. The news media and Hollywood portray the role of wife as dreadful and that of the husband as enviable. As with other superficially, politically naive analyses, the Feminazi infested media often fails to look beyond its members own biased beliefs to the reality of being a husband in feminarchy America

Everyday the husband leaves the house and children to trade 8, 10 or 12 hours of his life for the means to provide for his wife and offspring. Beyond food and housing, he must satiate her voracious appetite for material goods in her Sisyphean effort to keep up with Mrs. Jones; assuage her relentless vanity with expensive jewelry, perfumes, clothes and cosmetics; appease with social status her vindictive, vitriolic ranting as age lines her face; satisfy junior's whining for a new toy, bicycle or car; and fulfill his daughter's limitless greed for MTV hyped products.

At work, the husband must win out over others or jeopardize the means of satisfying his insatiable dependents. Job stress is an ever-present companion that contributes to the seven years shorter life span men have as compared to dames. Many husbands, however, do not have to worry about stress, because

their assigned role as serfs to princesses lands them in jobs that kill before stress has a chance to even raise their blood pressure. In the ten most hazardous jobs in America, over 90 percent of the workers are men. Every year industrial accidents kill twelve times more men than girls.

When an unfriendly nation decides to invade a husband's homeland, he, not his wife, will be drafted. The husband will go fight in order to protect his family and their way of life. In the twentieth century, 99 percent of the soldiers killed in wars were men. Perhaps death is the easy way for men to survive a war. Of the over two million young American men who served in Vietnam, approximately 800,000 suffer from post-traumatic stress syndrome. I wonder if any of these guys would have traded washing dishes for the hell they went through and are still suffering from.

In an emergency situation, females, including wives, and children are rescued first while men, including husbands, wait, hoping the grim reaper's scythe swings slowly enough for them to escape.

When the bottom of the economy falls out, the main provider of a family, usually the husband loses his job, which requires the family to seek government assistance. Some welfare programs require the husband to leave his home before the wife and children can receive support. As a result, the wife still has her children and a roof over her head while the husband walks the indifferent streets alone. Approximately 90 percent of America's three million homeless are men—not a few because of lost jobs stolen by broads.

At the other end of the economic scale where both husband and wife have well paying jobs, government and private support groups' discrimination against men has virtually no effect. But a form of male discrimination still exists. When the wife has a child, she often has the option to leave work to raise the child, to work part-time or return to work full-time. The husband also has three options: to continue working, to continue working and to continue working.

Finally, the burdens foisted on husbands and all men by this wo - man's nation cause men to commit suicide five times more often than females. For example, the Vietnam War killed around 58,000 young men; since that war's end, over 58,000 men who served in Vietnam have committed suicide.

When the Feminazis ask, "My God, who would want to be a wife?" Given the alternative—many.
 posted by [admin](#) with [1 Comments](#)
Saturday, August 12, 2006 12:25 PM
An Invisible Weapon
 © Roy Den Hollander, 2006

Physical violence mainly injures the body while emotional distress sears the mind. Contemporary feminazi groups and the political-correctionalist media and politicians incessantly depict husbands and boyfriends as brutal batterers of their innocent, defenseless wives and concubines. Trendy beliefs claim that a large percentage of America's 50% divorce rate results from the genetically programmed physical violence of men against females. The media, populace and politicians, however, ignore the incapacitating genetically programmed violence of emotional distress that wives and girls batter their beaus with day after day, year after year, which ends in a divorce, early grave for the husband or lawsuit against the man. Females intentionally or recklessly inflict emotional pain on a man with words, intonation of voice, facial demeanor and acts or patterns of behavior, often over a long period of time. For example, every time a guy leaves the refrigerator door open for more than some arbitrarily time limit set by his girl, the domineering paragon of everything correct barks "shut the door!" Over time, opening the refrigerator can become an unpleasant task—not unlike touching a live wire. Or the reckless, maybe intentional keeping of letters from the wife's lover in a place for the husband to find them in order to shatter the world of a faithful husband, especially if her sexual escapades occurred in the year prior to the birth of a child. As

the genetically evil female well knows, a nauseating doubt will plague the husband until the day he dies that his child may not be his. What redress for the pain she caused would the husband have in feminararchy America? none! In Russia, he could find some justice by slapping her around a bit, and if she called the cops, they'd help him out.

Girls have the advantage in America because physical violence is easy to prove: it leaves physical marks that a camera can record. Emotional violence, however, stalks the invisible world of the mind, which makes it a near perfect weapon. Husbands and boyfriends can't take pictures of the pain broads intentionally and recklessly cause them. Big Sister America is using that fact to tie men's hands, so they can no longer defend themselves against their girlfriends or wives twisting the blade of emotional pain through their hearts.

When will we see advertisements paid for by taxpayer dollars giving men a number to call to get some ragging, nagging, malicious broad to shut her yap? Not until science invents a technique for measuring emotional distress. Until then, a man has no choice but to follow Mother Nature, regardless of the cost, and slap the broad across the chops to stop the barrage of emotional bullets spewing from her tongue, which, of course, has always been a girl's gun.

posted by [admin](#) with [0 Comments](#)

[Wednesday, July 05, 2006 4:43 PM](#)

A Different Time

A propeller driven plane drones somewhere overhead far out of sight. Its low monotone humming envelops a warm, spring Sunday afternoon somewhere in the 1950s. I sit on my 24 inch, black, single-gear Schwinn bicycle, keeping my balance by holding onto the door handle of an old, blue, four-door 1947 Dodge.

My consciousness pauses at the moment, feeling vaguely sad for no discernible reason. The week's events ended with this gift of nothing to do: no homework, no television shows, no new housing developments to explore or classmates able to come out and play.

The dead-end street needs a new asphalt topping. Where I am balance on the side, the asphalt has broken up into small gravel-like stones with an isolated weed sprouting up here and there. It is still early spring, the lawns are just beginning to turn green and the tulips and dogwood buds remain closed, waiting for a few consecutive days of warm weather. The air smells fresh, warmed slightly by a gentle breeze.

The droning airplane fills the vacuum of silence on this street with modest middle-class houses in this small suburban town, whose claim to fame will not come until the end of the next decade. Of all the towns in America, this town will have the second highest number of persons per capita to die in Vietnam--all of them men, of course, and all of them guys I knew.

posted by [admin](#) with [0 Comments](#)

[Friday, May 12, 2006 3:21 PM](#)

Do Men Cause the Wars?

By Roy Den Hollander

During a trip to the evil empire--formerly the Soviet Union but still as evil as ever--a budding middle-aged Feminazi translator sternly ended her exposition about a battle depicted in a World War II museum outside Moscow with "Men cause the wars!" The American academicians and others along on the tour, including the males who were no longer men, nodded approvingly. Not me, my juvenile delinquent attitude, which I've never been able or wanted to outgrow, made me speak up "Tell that to the guys pushing up daisies in the Falklands!" That shut the broad's duplicitous mouth.

The Falklands, however, was just one war in which a female, Margaret Thatcher, helped kill 252 British and 655 Argentine soldiers, sailors, and airmen while doing in only three British females. What about all the other wars? Men certainly die in them in greater numbers than girls: the first Iraq war totaled about 22,000 men on both sides to 11 American female combat deaths and in Vietnam 58,185 American men to 8--that's right--8 American females. But are guys the sole cause of that which destroys so many more men than broads? The National Organization of Witches (N.O.W.) and other

modern-day matriarchic tyrants would have us believe so because it infers that if men cause the wars, than they get what they deserve in war.

Let's look at the first Iraq war and April Glassby, the American ambassador to Iraq in 1990. She met Saddam Hussein just before he invaded Kuwait. At that time, there was rising tension between Iraq and Kuwait, Iraq was mobilizing and there were reports that Saddam might move across the border. So what did April tell Saddam at their meeting: the United States had no obligation to defend Kuwait. How dumb can you get! For dames it has no limits, especially in situations suited for men. Maybe April didn't want to offend Saddam's sensitivities by popping his illusion as the modern day Saladin. Whatever the reason for her stupidity, after April tells Saddam "green light," he naturally invades "as would any guy when a girl gives him the go-ahead" even though April probably meant "red light." What was Saddam suppose to do "read the bimbo's mind"? So he invades, figuring the U.S. won't intervene because that's what its ambassador said, and if the U.S. won't than no one will.

As for Viet Nam, lots of contributing factors went into bringing us that war, including the 1.8 million more votes Lyndon Johnson received from females than men in 1964. Of course, those bimbos didn't swing the election and Barry Goldwater might have dragged us into the same quagmire, but just looking at history as it played-out shows that more girls than guys were responsible for re-electing LBJ who turned Viet Nam into a male meat grinder.

How about the big killer of men "World War II"? The war that prompted the bimbo Russian translator to blame only men. This requires a little history "something the Feminazis are excellent at ignoring or re-writing.

The treaty ending the First World War set up the League of Nations. In order for the League, like the United Nations today, to have any power required America as a member. The League ended up including most of Europe, including Germany, as well as Japan and China "but no U.S. Here's why: President Woodrow Wilson and the leader of the Senate, Henry Cabot Lodge, had some disagreements over the League. Since the Senate would have to approve the treaty that called for U.S. membership, a compromise was crucial and likely because both men were politicians. But when Wilson suffered a stroke, his wife, in effect, took over as President "that doomed any chance of an agreement. When was the last time you tried to reach a compromise with a female? It's not possible! To brood "compromise" means only one thing: Do it their way! Without the U.S., the League ultimately proved incapable of preventing aggression by the Axis Powers in the 1930s, which culminated in World War II.

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posted by [admin](#) with [2 Comments](#)

Friday, March 24, 2006 11:54 PM

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© Roy Den Hollander, 2006

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posted by [admin](#) with [0 Comments](#)

HURWIT DECL. EXHIBIT 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROY DEN HOLLANDER,

Case No.: 08 CV 04045 (FB)(LB)

Plaintiff,

-against-

DEBORAH SWINDELLS DONOVAN, PAUL W.
STEINBERG, and JANE DOE,

Defendants.
-----X

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE, that upon the annexed Declaration of Diane Krebs, Esq., dated March 11, 2009 and the exhibits annexed thereto; the accompanying Memorandum of Law; and upon all prior pleadings and proceedings herein, the undersigned hereby moves this Court, before the Honorable Frederic Block, at the courthouse located at 225 Cadman Plaza East, Brooklyn, New York 11201, for an Order granting the Motion to Dismiss of Defendant Deborah Swindells Donovan for lack of subject matter jurisdiction and/or failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that, pursuant to the briefing schedule embodied in the letter to Judge Block dated February 19, 2009, opposition papers shall be served on or before April 1, 2009, and reply papers shall be served on or before April 17, 2009.

Dated: New York, New York
March 11, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diane Krebs", is written over a horizontal line.

Diane Krebs (DK 8280)
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Attorneys for Defendant
Deborah Swindells Donovan

**HURWIT DECL.
EXHIBIT 3**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROY DEN HOLLANDER,

Plaintiff,

-against-

DEBORAH SWINDELLS DONOVAN, PAUL W.
STEINBERG, and JANE DOE.

Defendants.

MEMORANDUM AND ORDER
No. 08-CV-4045 (FB) (LB)

-----X

Appearance:

For the Plaintiff:

ROY DEN HOLLANDER, ESQ., *pro se*
545 East 14th St. Apt. 10D
New York, NY 10009

*For the Defendant Deborah Swindells
Donovan:*

JOSHUA S. HURWIT, ESQ.
GORDON & REES LLP
90 Broad Street, 23rd Floor
New York, NY 10004

For the Defendant Paul W. Steinberg:

PAUL W. STEINBERG, ESQ., *pro se*
14 East Fourth Street
New York, NY 10012-1141

BLOCK, Senior District Judge:

The Court hereby informs the parties that it intends to treat defendants' motion to dismiss as a motion for summary judgment under Fed. R. Civ. P. 56. The parties shall submit to the Court all pertinent materials by December 18, 2009, including materials addressing whether the defendants' use of plaintiff's works is protected under the fair use doctrine. *See NXIVM Corp. v. Ross Institute*, 364 F.3d 471, 476 (2d Cir. 2004) (discussing statutory defense of fair use under 17 U.S.C. § 107).

Defendants shall notify plaintiff of Court's determination pursuant to Local Rule

12.1.

SO ORDERED.

FREDERIC BLOCK
Senior United States District Judge

Brooklyn, NY
November 18, 2009

**HURWIT DECL.
EXHIBIT 4**



Not Reported in F.Supp.2d, 2001 WL 286724 (S.D.N.Y.), 64 U.S.P.Q.2d 1061
(Cite as: 2001 WL 286724 (S.D.N.Y.))

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United States District Court, S.D. New York.
CITY MERCHANDISE, INC., Plaintiff,
v.
KINGS OVERSEAS CORP. d/b/a Kings International Co., Debbie Feldstein, Naum Feldchtein, and Sarita Feldchtein, Defendants.
No. 99 CV 10456(RCC).

March 23, 2001.

OPINION AND ORDER

CASEY, D.J.

*1 Defendants King Overseas Corp., Debbie Feldstein, Naum Feldchtein and Sarita Feldchtein ("Defendants") bring this motion to dismiss for failure to state a cause of action, pursuant to Federal Rule of Civil Procedure 12(b)(6). They also request the costs of this motion and attorney fees. For the reasons explained below, the motion is granted, but the request for costs and fees is denied.

I. Background

Plaintiff City Merchandise ("Plaintiff") brings this suit claiming copyright infringement, Lanham Act and New York statute violations, unfair competition and unjust enrichment. In January 1997, Plaintiff commissioned a design to be imprinted on a variety of goods, including mugs. Complaint at ¶ 6. The wording on the design is "NY" and "New York." Plaintiff maintains that it is the exclusive owner of the right, title, interest in and copyright pertaining to the design. *Id.* at ¶ 7. Plaintiff applied for copyright registration in October 1999, but it has not yet sought leave to amend its complaint to reflect such registration. *Id.* at ¶ 8.

Plaintiff alleges that Defendants obtained access to the design without permission in January 1998, and

produced and distributed through interstate commerce various goods depicting the design. *Id.* at ¶ 9. On September 1, 1999, counsel for Plaintiff wrote to Defendant Sarita Feldchtein, an officer of Defendant Kings International, and stated that if Defendants desired to avoid a lawsuit they should (1) list all of their items depicting the design; (2) provide an accounting of their sales, costs and profits associated with the design; (3) produce invoices representing sales of the design; (4) deliver the infringing items; and (5) make payment in the greater amount of either \$2,500 or their profits from the allegedly infringing items. Max Aff., Ex. A. When Defendants did not respond, Plaintiff filed its complaint on October 12, 1999.

II. Discussion

A. Standard for Motion to Dismiss

In reviewing a motion to dismiss for failure to state a cause of action, the court must accept as true the allegations in the complaint and draw all inferences in favor of the complainant. *Bernheim v. Litt*, 79 F.3d 318, 321 (2d Cir.1996). A complaint may not be dismissed under Rule 12(b)(6) unless it "appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." *Conley v. Gibson*, 355 U.S. 41, 45-46 (1957). Thus, the issue is not whether plaintiff will ultimately prevail, rather whether plaintiff is entitled to offer evidence to support its claims. *GMA Accessories, Inc. v. Idea Nuova*, 2000 WL 1848478, at *2 (S.D.N.Y. Dec. 18, 2000) (quoting *Villager Pond, Inc. v. Town of Darien*, 56 F.3d 375, 378 (2d Cir.1995)). Nonetheless, "the complaint must contain allegations concerning each of the material elements necessary to sustain recovery under a viable legal theory." *Yurman Design Inc. v. Chaindom Enters., Inc.*, 2000 WL 897141, at *4 (S.D.N.Y. July 5, 2000).

B. Copyright Infringement Claim

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*2 Plaintiff claims the design in question is an original work under the Copyright Act of 1976, 17 U.S.C. § 102, and that the Defendants' appropriation of the design infringes on Plaintiff's copyright. The party claiming copyright infringement must prove ownership of a valid copyright and unauthorized copying by the putative infringer. *Feist Publ'ns, Inc. v. Rural Tel. Serv. Co.*, 499 U.S. 340, 361 (1991); *Hamil Am., Inc. v. GFI*, 193 F.3d 92, 98 (2d Cir.1999); *Marvullo v. Gruner & Jahr AG & Co.*, 2001 WL 40772, at *2 (S.D.N.Y. Jan. 17, 2001) (stating copyright infringement claim must allege original work, ownership of copyright in work, registration of copyright, and infringing acts). Registration of the work is "prima facie" evidence of ownership. *Marvullo*, 2001 WL 40772, at *2. Copying can be demonstrated with either direct evidence or "circumstantially by showing access to the copyrighted work, and substantial similarity as to protectible material in the two works." *Franklin Elec. Publishers, Inc. v. Unisonic Prods.Corp.*, 763 F.Supp. 1, 4 (S.D.N.Y.1991).

The Copyright Act states in part, "no action for infringement ... shall be instituted until registration of the copyright claim has been made in accordance with this title." 17 U.S.C. § 411(a). If the registration has been refused, the applicant may bring an infringement claim after giving notice to the Register of Copyrights. *Id.* Here, Plaintiff has applied for copyright registration, but has not, to this Court's knowledge, received such registration. It is well settled that the court lacks subject matter jurisdiction unless the claimant has a registration or its registration has been refused. *See e.g., Whimiscality, Inc. v. Rubie's Costume Co.*, 891 F.2d 452, 453 (2d Cir.1989) (stating registration is prerequisite to copyright infringement claim); *Tuff-N-Rumble Mgmt., Inc. v. Sugarhill Music Publ'g Inc.*, 49 F.Supp.2d 673, 677 (S.D.N.Y.1999) ("[D]istrict courts are without subject matter jurisdiction to hear claims for federal copyright infringement unless a party asserts in its pleadings that he has received an actual certificate of registration or its denial from the Copyright Office."); *Noble v.*

Town Sports Int'l, Inc., 1998 WL 43127, at *1 (S.D.N.Y. Feb. 2, 1998) (dismissing Copyright Act claim because plaintiff had only applied for registration and had not received it); *National Ass'n of Freelance Photographers v. Associated Press*, 1997 WL 759456, at *12 (S.D.N.Y. Dec. 10, 1997) ("[A]n action for copyright infringement cannot be asserted unless a certificate of registration has been issued; the mere filing of an application is simply insufficient to support such a claim.") *Robinson v. Princeton Review*, 1996 WL 663880, at *7-8 (S.D.N.Y. Nov. 15, 1996) (same); *Demetriades v. Kaufmann*, 680 F.Supp. 658, 661 (S.D.N.Y.1988) ("Receipt of an actual certificate of registration or denial of same is a jurisdictional requirement, and this court cannot prejudice the determination to be made by the Copyright Office.").

*3 Plaintiff urges that this long line of cases should be ignored in favor of a statement in *Lennon v. Seaman*, in which the district court stated the jurisdictional registration requirement could be met by filing an application for registration. 63 F.Supp.2d 428, 432 (S.D.N.Y.1999). The Court is not persuaded. First, this statement is not controlling on this Court's decision. Second, rather than relying on case law within this Circuit for support, the statement cites only a copyright treatise. *See id.* Third, in a subsequent decision in the same case, the cases cited by the court do not support the proposition that the filing of an application meets the jurisdictional requirement. *See Lennon v. Seaman*, 84 F.Supp.2d 522, 524 (S.D.N.Y.2000) (listing cases). In all of the cited cases, the claimant had complied with the statute by either obtaining a registration or a refusal. For example, in *Demetriades v. Kaufmann*, when the plaintiff filed the complaint he had an application for registration, at which time the court did not have jurisdiction. *Demetriades*, 680 F.Supp. at 661. The Copyright Office issued a registration before the court made its determination, however, hence giving the court jurisdiction. *Id.*

The statute and Second Circuit precedent explicitly require registration as a prerequisite to an infringe-

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ment claim. Plaintiff has not alleged ownership, i.e., registration, of the copyright, therefore it has not met the jurisdictional requirements for a copyright claim. Its claim for copyright infringement must be dismissed.

C. Lanham Act Claim

Plaintiff's second claim alleges false designation of origin in violation of § 43(a) of the Lanham Act. 15 U.S.C. § 1125(a). Section 43(a) affords protection for unregistered marks by providing a cause of action for the use of "any word, term, name, symbol, or device ... or any false designation of origin ... which is likely to cause confusion ... as to the origin ... of ... goods." *Id.* Courts have expanded the Act's protection to "encompass the design of a product" or its "trade dress." *Wal-Mart Stores, Inc. v. Samara Bros., Inc.*, 529 U.S. 205, 209 (2000). To be entitled to this protection, the mark must be distinctive. *Id.* at 210; *GMA Accessories, Inc.*, 2000 WL 1848478, at *3.

A mark is inherently distinctive if its inherent nature serves to identify a particular source. *Wal-Mart*, 529 U.S. at 210 (quoting § 43(a)). Courts have found word marks to be inherently distinctive if they are "arbitrary," fanciful" or "suggestive." *Id.* (citing *Abercrombie & Fitch Co. v. Hunting World, Inc.*, 537 F.2d 4, 10-11 (2d Cir.1976)). However, "in an action for infringement of unregistered trade dress under § 43(a) of the Lanham Act, a product's design is distinctive, and therefore protectible, only upon a showing of secondary meaning." *Wal-Mart Stores*, 529 U.S. at 216. A mark has secondary meaning "when, 'in the minds of the public, the primary significance of a [mark] is to identify the source of the product rather than the product itself.'" *Id.* at 211 (quoting *Inwood Labs., Inc. v. Ives Labs., Inc.*, 456 U.S. 844, 851, n. 11 (1982)). Here, there is no allegation of distinctiveness generally or secondary meaning specifically. Therefore, the Lanham Act claim is dismissed.

D. Remaining Claims

*4 Plaintiff's remaining claims include unfair competition, unjust enrichment and violation of New York's General Business Law § 349. These claims all arise under state law and the Court declines to retain jurisdiction over them. *See Historical Truth Prods. v. Sony Pictures Entm't, Inc.*, 1995 WL 693189, at *13 (S.D.N.Y. Nov. 22, 1995) (declining jurisdiction over unfair competition, misappropriation and unjust enrichment claims after Copyright Act claim had been dismissed). A federal court hearing a federal question may exercise supplemental jurisdiction over state law claims that arise under the same "case or controversy." 28 U.S.C. § 1367(a). Once the federal question claim is dismissed, however, the court may decline to retain jurisdiction over the remaining claims. *Historical Truth Prods.*, 1995 WL 693189, at *13 (citing 28 U.S.C. § 1367(c)(3) and *United Mine Workers of Am. v. Gibbs*, 383 U.S. 715, 726 (1966) (suggesting that district court is obliged to dismiss the remaining state law claims under these circumstances)). Further, the corporate parties are both New York corporations and there is not complete diversity here. *See* Complaint at ¶¶ 1-3. Accordingly, the remaining claims are dismissed.

III. Conclusion

For the reasons forgoing reasons, Defendants' motion to dismiss is granted. As Defendants did not provide any support for their request for costs and attorney fees, the request is denied. The Clerk of the Court is directed to close the case.

So ordered.

S.D.N.Y., 2001.

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